

MOTION TO RECOMMIT H.R. 6

OFFERED BY M.____.

M.____. moves to recommit the bill H.R. 6 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 9, line 5, strike “or”.

Page 9, line 19, strike the period at the end and insert a semicolon.

Page 9, after line 19, insert the following:

1 (C) The Secretary knows or has reason to
2 believe that the alien is or has been a member
3 of a criminal street gang (as defined in sub-
4 section (a) of section 521 of title 18, United
5 States Code), or to have participated in the ac-
6 tivities of a criminal street gang knowing or
7 having reason to know that such activities will
8 promote, further, aid, or support the illegal ac-
9 tivity of the criminal gang. For purposes of this
10 subparagraph, the Secretary may consider any
11 and all credible evidence of membership or par-
12 ticipation in a criminal street gang, including

1 evidence obtained from a State or Federal data
2 base used for the purpose of recording and
3 sharing activities of alleged gang members
4 across law enforcement agencies.

Page 12, strike line 21 and all that follows through
page 13, line 13 (and redesignate succeeding subpara-
graphs accordingly).

Add at the end the following (and conform the table
of contents accordingly):

5 **TITLE III—GENERAL**
6 **PROVISIONS**

7 **SEC. 301. TREATMENT OF CERTAIN ALIENS FOUND INELI-**
8 **GIBLE FOR ADJUSTMENT OF STATUS.**

9 Notwithstanding sections 111(e), 129, 211(c)(3), and
10 229 of this Act, an alien whose application would be de-
11 nied based on criminal, national security, gang, or public
12 safety grounds, as set out in section 111(c) or 211(a)(3)
13 of this Act, shall be referred by the Secretary of Homeland
14 Security for a determination of whether the alien should
15 be placed in removal proceedings under section 240 of the
16 Immigration and Nationality Act (8 U.S.C. 1229a).

